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PTO/SB/64/PCT (10-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)
BB-168

First Named Inventor: Burra V.L.S. Prasad

International (PCT) Application No.: PCT/IB2003/003444

U.S. Application No.:
(if known)

Filed: June 18, 2003

Title: Method of Identifying/Designing and/or Modifying Chemical Species
Capable of Interacting with a Physiologically Active MacromoleculeAttention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity - fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
Petition Under 37 CFR 1.137(b) (identify type of reply):
Copies of papers associated with entry of national phase application.☐ has been filed previously on _____☒ is enclosed herewith.

05/19/2006 L ANDGRA 00000014 190065 10579171

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750.00 DA

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☐ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

David Saliwanchik

Signature

May 12, 2006

Date

David R. Saliwanchik

Typed or Printed Name

31,794

Registration Number, if applicable

Saliwanchik, Lloyd & Saliwanchik, P.O. Box 142950

Address

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Telephone Number

Gainesville, FL 32614-2950

Address

Enclosures: ☒ Response☒ Fee Payment☐ Terminal Disclaimer☒ Other (please identify): Copy of PCT Application No. PCT/IB2003/003444

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to the PCT Legal Staff, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:

May 12, 2006

David R. Saliwanchik

David R. Saliwanchik, Patent Attorney

PETITION UNDER 37 CFR §1.137(b)
Patent Application
Docket No. BB-168
PCT Application No. PCT/IB2003/003444

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Helix Genomics Pvt. Ltd.
International (PCT) Application No. : PCT/IB2003/003444
Filed : June 18, 2003
For : Method of Identifying/Designing and/or Modifying
Chemical Species Capable of Interacting with a
Physiologically Active Macromolecule

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

PETITION UNDER 37 CFR 1.137(b) FOR REVIVAL OF AN
APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY

Sir:

Petitioner, Helix Genomics Pvt. Ltd. (hereinafter referred to as "Petitioner") hereby petitions the Commissioner, pursuant to 37 CFR 1.137(b), to revive the patent application identified above in order to allow entry into the U.S. national phase. The Petitioner's failure to timely pay the national fee and enter into the U.S. national phase under 35 U.S.C. 371 was unintentional.

The subject application, relating to an invention entitled "Auto-Injection Devices and Methods for Intramuscular Administration of Medications," was filed in the International Bureau of the World Intellectual Property Organization as the PCT Receiving Office on June 18, 2003. Therefore, the 30-month time limit for entering the U.S. national stage for this application was

December 18, 2005. This deadline was inadvertently missed; the Petitioner never intended to abandon the subject application.

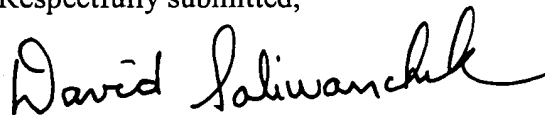
There is one inventor named on the application. The rights in this application have been assigned to the Petitioner.

The Petitioner respectfully submits it never intended to abandon the subject application and that its entire delay from the December 18, 2005 30-month deadline for entering the U.S. national phase under 35 U.S.C. 371 until the filing of this Petition was unintentional. Thus, the failure of the Petitioner to timely enter into U.S. national phase was unintentional as was the entire delay from December 18, 2005 until the filing of this Petition.

In view of the foregoing, the Petitioner hereby prays that the subject patent application be revived as having been unintentionally abandoned.

Please charge the Petition fee of \$750.00 to Deposit Account No. 19-0065. The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 19-0065. Two copies of this Petition are enclosed for authorization of charges to the Deposit Account.

Respectfully submitted,



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DRS/la

Attachments: PCT application and Transmittal Forms